

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

LATANYA THOMAS, Personal  
Representative of the Estate of Tyler  
Thomas;

Plaintiff,

vs.

STATE OF NEBRASKA, et. al,

Defendants.

**8:12CV412**

**MEMORANDUM AND ORDER**

**IT IS ORDERED:**

1. Plaintiff's motion for leave to file an amended complaint, (filing no. 4) is granted. The plaintiff's amended complaint, a copy of which is attached to her motion, shall be filed on or before February 7, 2013.

2. Having previously granted the plaintiff's motion to proceed in forma pauperis, (Filing No. 3), the court also hereby grants the plaintiff's request for service by the United States Marshal. (Filing No. 4-2). Plaintiff's counsel shall complete the USM-285 forms and the summons forms and return them to the Clerk of the court. The Clerk of the court will sign the summons forms, to be forwarded with a copy of Plaintiff's Amended Complaint to the U.S. Marshal for service of process. The Clerk of the court will copy the Amended Complaint; Plaintiff's counsel need not to do so. The Marshal shall serve the summons and the Amended Complaint without payment of costs or fees.

3. This order is entered without prejudice to the court later entering an order taxing costs in this case. No one, including any plaintiff, is relieved by this order from the obligation to pay or to reimburse taxable costs after this action is over.

January 31, 2013.

BY THE COURT:

*s/ Cheryl R. Zwart*  
United States Magistrate Judge